

ENTERED

November 12, 2015

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

TORIBIO ENCINIA-MORENO

§
§
§
§
§

CRIMINAL ACTION NO. 1:15-CR-849

ORDER

BE IT REMEMBERED on this 10th day of November, 2015, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed October 08, 2015, wherein the defendant Toribio Encinia-Moreno waived appearance before this Court and appeared before the United States Magistrate Judge Ignacio Torteya, III for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Toribio Encinia-Moreno to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant Toribio Encinia-Moreno guilty of the offense of alien who had previously been denied admission, excluded, deported, or removed, after having been convicted of an aggravated felony, knowingly and unlawfully was present in the United States having been found in Cameron County, Texas, the said defendant having not obtained consent to reapply for admission into the United States from the Attorney General of the United States or Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557, in violation of Title 8, United States Code, Section 1326(a) and 1326(b).

Signed this 10th day of November, 2015.


Andrew S. Hanen
United States District Judge